



DOCKET NO: 213446US0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

SHINJI TAI, ET AL.

: EXAMINER: WYROZEBSKI-LEE, K.

SERIAL NO: 09/942,663

: GROUP ART UNIT: 1714

FILED: AUGUST 31, 2001

: RCE FILED: JULY 29, 2004

FOR: ETHYLENE-VINYL ALCOHOL
COPOLYMER COMPOSITION AND
MULTILAYERED CONTAINER USING
THE SAME

DECLARATION UNDER 37 C.F.R. § 1.132

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now come Shinji TAI, Hiroyuki SHIMO and Masakazu NAKAYA, who declare and state as follows:

1. Shinji TAI, Hiroyuki SHIMO and Masakazu NAKAYA are the co-inventors of the above-identified application.

2. Shinji TAI, Hiroyuki SHIMO and Masakazu NAKAYA are co-inventors, with Hideo TAKAMATSU and Mizuho MAEDA, of U.S. Patent No. 6,599,598 ("Tai-598").

3. Shinji TAI, Hiroyuki SHIMO and Masakazu NAKAYA are co-inventors, with Toshiaki SATO, Takashi YAMASHITA and Yoshiki MUKOO, of U.S. Patent No. 6,759,107 ("Tai-107").

4. To the extent that subject matter claimed in the above-identified application is also disclosed in Tai-598 and Tai-107, Shinji TAI, Hiroyuki SHIMO and Masakazu NAKAYA are the co-inventors of the subject matter and are the only inventors of the subject matter.

BEST AVAILABLE COPY

Serial No.: 09/942,665
Declaration Under 37 C.F.R. § 1.132

5. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

6. Further declarants said:

Date: July 13, 2005

Shinji Tai
Shinji TAI

Date: July 5, 2005

Hiroyuki Shimo
Hiroyuki SHIMO

Date: July 14, 2005

Masakazu Nakaya
Masakazu NAKAYA